

MANSFIELD PLANNING AND ZONING COMMISSION

Regular Meeting, Tuesday, January 3, 2006

Council Chambers, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), B. Gardner, R. Hall, K. Holt, P. Kochenburger, P. Plante, B. Ryan, G. Zimmer

Members absent: J. Goodwin

Alternates absent: C. Kusmer, B. Pociask, V. Stearns

Staff present: G. Padick (Director of Planning), Curt Hirsch (Zoning Agent)

Chairman Favretti called the meeting to order at 7:18 p.m..

12/19/05 Minutes – Zimmer MOVED, Hall seconded, to approve the Minutes as submitted; MOTION CARRIED, all in favor except Plante (disqualified).

Old Business

Hodrinsky proposed 2-lot subdivision off Mulberry Rd., just west of Rt. 89 file 1237 – All neighborhood notification receipts having now been submitted, after brief discussion with the applicant, Gardner MOVED, Hall seconded, to approve with conditions the two-lot subdivision application of Jimmy Hodrinsky for property located north of Mulberry Road and west of Warrenville Road, in an RAR-90 zone, as submitted to the Commission (file 1237) and shown on plans dated 9/21/05 as revised to 11/16/05. This approval is granted because the application as hereby approved is considered to be in compliance with the Mansfield Zoning and Subdivision Regulations. Approval is granted with the following modifications or conditions:

1. Final plans shall be signed and sealed by the responsible surveyor, engineer and soil scientist;
2. The final plans shall list abutters and their addresses on the east side of Warrenville Road, as required by Sec. 6.5.j;
3. Based on the provisions of Sections 7.5, 7.1, 7.2 and other provisions of the Subdivision Regulations, the following revisions shall be made to depicted building and development area envelopes:
 - A. Building area envelopes on both lots shall be revised to eliminate septic system and reserve areas;
 - B. In the southwestern corner of Lot 2, the building area envelope shall be revised to utilize the existing tree line for its boundary;
 - C. Along the western border of Lot 2 and in the southwestern corner of Lot 2, the development area envelope shall be revised to utilize the existing tree line for its boundary.
4. Pursuant to Subdivision Regulations provisions, particularly Sections 7.5 and 7.6, this action specifically approves the depicted building area envelopes. Unless revisions are specifically authorized by the Commission, the depicted building area envelopes shall serve as the setback lines for all future structures and site improvements, pursuant to Article VIII of the Zoning Regulations. This condition shall be noted on the final plans (replacing existing Note 13 on sheet 2) and specifically Noticed on the Land Records;

5. The Commission, for good cause, shall have the right to declare this approval null and void if the following deadlines are not met (unless a ninety or one hundred and eighty-day filing extension has been granted);

A. All final maps, including submittal in digital format, a right-of-way deed along Mulberry Road, and a Notice on the Land Records to address condition 2 for recording on the Land Records (with any associated mortgage releases) shall be submitted to the Planning Office no later than fifteen days after the appeal period provided for in Section 8-8 of the State Statutes or, in the case of an appeal, no later than fifteen days of any judgment in favor of the applicant;

B. All monumentation, with Surveyor's Certificate, and all required work, shall be completed or bonded pursuant to the Commission's approval action and Section 14 of the Subdivision Regulations no later than fifteen days after the appeal period provided for in Section 8-8 of the State Statutes or, in the case of an appeal, no later than fifteen days of any judgment in favor of the applicant.

MOTION PASSED unanimously.

Proposed Aquifer Protection Area Regulations and associated Zoning Map revision – A Public Hearing was held on 12/19/05. After discussion, during which Mr. Padick described circumstances surrounding the State's proposed draft Regulations and related that staff's opinion that these Regulations should be adopted as a separate set of Mansfield regulations, Mrs. Holt volunteered to work on a motion for the next meeting, TUESDAY, JAN. 17TH .

Draft Fenton River Aquatic Habitat Study – 12/28/05 and 1/3/06 memos from the Dir. of Planning and 12/21/05 comments from the Conservation Commission were noted. Mr. Padick noted that his recommendations and comments coincided with those of the Conservation Commission. He emphasized that this is only a study, and not an implementation plan committed to by the University. It is anticipated that comments from the town on the study can be submitted until mid-January. Therefore, after discussion, Holt MOVED, Hall seconded, that the Planning and Zoning Commission authorize its chairman to co-endorse, with the Mayor or other Town Council designee, a unified town response to the 11/20/05 draft Fenton River Aquatic Habitat Study. The town's comments shall incorporate the recommendations contained in the 12/21/05 report from the Mansfield Conservation Commission and the 12/28/05 report from Mansfield's Director of Planning. MOTION PASSED unanimously.

2006-07 PZC Budget – The Dir. of Planning's 12/28/05 memo was noted. At the meeting, he said the proposed budget is essentially the same as last year's. After brief discussion, Hall MOVED, Holt seconding, that the PZC authorize the Director of Planning to submit a budget of \$20,850 for Fiscal Year 2006-07. MOTION PASSED unanimously.

Zoning Agent's Report – The December Monthly Activity Update was acknowledged without comment. Mr. Hirsch noted that even less snow is being cleared from the Rosal's parking lot than when the previous uses were in operation. He added that part of

the building is now open for business for lunch and dinner, but he plans to investigate the exact nature of another use in the building for which he has not issued a permit.

Members discussed a sign at the two banks at Four Corners which advertises “retail sites and pads available,” and asked Mr. Hirsch to explore the meaning of the sign. During discussion, Mr. Padick related that the Univ. of CT has submitted specific plans for its portion of the PZC-approved road to the Army Corps of Engineers and DEP, and construction is planned to begin in 2007.

Mr. Kochenburger asked if there is anything the town can do to improve appearance of the site of the vacant liquor store at Rts. 44 and 195; he was told that the town can require that signage be removed, but cannot do more than that.

Mr. Kochenburger noted that a tattoo parlour and barbershop have recently opened in the building at the corner of Rt. 44 and Cedar Swamp Rd. and asked which health agency is responsible for monitoring sanitary conditions and licensing for these uses.

New Business

Kueffner proposed one-lot subdivision on Forest Rd., file 1239 – Holt MOVED, Ryan seconded, to receive the subdivision application (file 1239) submitted by Christopher Kueffner for a one-lot subdivision, “Nelson Brook Estate,” on property located on Forest Road owned by the applicant, as shown on plans dated 11/23/05 and as described in other application submissions, and to refer the application to the staff for review and comments. MOTION PASSED unanimously.

McChesney proposed efficiency unit at 98 Summit Rd., file 1240 – Holt MOVED, Ryan seconded, to receive the special permit application (file 1240) submitted by David and Judith McChesney for an efficiency unit on the applicants’ property at 98 Summit Road, as shown on plans dated 12/22/05 and as described in other application submissions, and to refer said application to the staff for review and comment and to set a Public Hearing for February 6, 2006. MOTION PASSED unanimously.

Sunrise Estates subdivision, Mansfield City Rd., request to extend filing deadline, file 1214-2 – Noting a 12/28/05 memo from the Planning Director which states that staff has no objection to the request, Holt MOVED, Zimmer seconding, that the Planning & Zoning Commission approve a second 90-day extension for submittal of final documents for the Sunrise Estates subdivision, off Mansfield City Rd., which was approved by the Commission on 10/17/05. MOTION PASSED unanimously. With this extension, the filing deadline becomes May 7, 2006.

Baxter Road Estates subdivision, request to extend filing deadline, file 1229 - Noting a 12/28/05 memo from the Planning Director which states that staff has no objection to the request, Holt MOVED, Ryan seconding, that the Planning & Zoning Commission approve a second 90-day extension for submittal of final documents for the Baxter Road Estates subdivision, which was approved by the Commission on 9/6/05. MOTION PASSED unanimously. With this extension, the filing deadline becomes March 25, 2006.

Proposed Natchaug River Greenway designation – Two communications on this topic were noted by members: a 12/21/05 draft of the Natchaug River Greenway designation proposal, and a 12/28/05 memo from the Planning Director. At the meeting, Mr. Padick noted that the proposal is consistent with our Plan of Conservation & Development and has received the endorsement of the Conservation Commission. Members discussed the proposal and asked what a commitment from Mansfield would entail. Mr. Padick agreed to provide more information at the next meeting, and the matter was tabled.

192 Bonemill Rd., Wilson, request for storage shed – The Planning Director's 12/28/05 and 1/3/06 memos were noted. After brief discussion, Holt MOVED, Hall seconding, that the Planning & Zoning Commission authorize, at 192 Bonemill Road, a 12-ft. by 16-ft. storage shed, as depicted on submitted plans. This authorization is subject to confirmation that height and use provisions of Article VIII, Section B.1.d are met. MOTION PASSED unanimously.

Request for chapel use at 1768 Storrs Rd. (former AV Assocs. use) – Mr. Padick's 12/28/05 memo was noted. The space proposed for the chapel use/office space had previous PZC approval for a dance studio, but that approval was never utilized. Expansion of the existing septic system is planned. Members discussed whether the proposed change in use would be significant enough to warrant a special permit application, with a Public Hearing. Members had a number of questions and concerns regarding specifics of the proposed use, and, by consensus, the matter was referred to staff for more information, and will be visited on the 1/12/06 field trip.

Aurora Estates subdivision, request for second extension of filing deadline and request to utilize a Letter of Credit, file 1230 – Mr. Padick's 1/3/06 memo was noted. Holt MOVED, Gardner seconded that the PZC Chairman, with staff assistance, be authorized to accept a Letter of Credit from Jewett City Bank for the Aurora Estates subdivision and to execute a bond agreement for this subdivision. This authorization is subject to compliance with the Letter of Credit requirements of Article VI, Section C.2 of the Zoning Regulations, which include the use of a cash bond for at least ten percent of the total required bond. MOTION PASSED unanimously.

Holt then MOVED, Hall seconding, that the Planning & Zoning Commission approve a second 90-day extension for submittal of final documents for the Aurora Estates subdivision, on Bedlam Road, which was approved by the Commission on 9/19/05. MOTION PASSED unanimously. With this extension, the filing deadline becomes April 7, 2006.

Communications and Bills – As noted on the agenda or distributed at the meeting.

Field trip – By consensus, a field trip was scheduled for Thursday, Jan. 12th, at 1:30 p.m.. Subsequent to the meeting, the time of the field trip was changed to 2:00 p.m. on the same day.

The meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary